

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOHAMED ABO ALI,

Plaintiff,

-against-

AMERICAN UNIVERSITY OF ANTIGUA, INC.;
MANIPAL EDUCATION AMERICAS, LLC,

Defendants.

1:25-CV-2065 (ER)

ORDER OF SERVICE

EDGARDO RAMOS, United States District Judge:

Plaintiff Mohamed Abo Ali, of Colonia, New Jersey, who appears *pro se*, brings this action asserting claims under the court's federal question jurisdiction and diversity jurisdiction. He sues: (1) the American University of Antigua, Inc. ("AUA"), which he describes as "a foreign private corporation incorporated . . . [in] Florida," with its "principal campus" in Antigua and Barbuda (ECF 12, at 3); and (2) Manipal Education Americas, LLC ("MEA"), which he describes as "a limited liability company organized under the laws of the State of New York" (*id.*), and the owner and operator of AUA (*id.* at 6), with its principal place of business in New York County, New York (*id.*).

By order dated March 13, 2025, the court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees. The Court directs service of the amended complaint, order to show cause for a preliminary injunction and temporary restraining order ("OTSC"), and "affidavits" in support of the OTSC (ECF 6-7, 10, 12) on AUA and MEA at the alternative addresses listed on the last page of this order after the undersigned's signature.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on assistance from the Court and the United States Marshals Service (“USMS”) to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the USMS to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on AUA and MEA through the USMS, the Clerk of Court is instructed to fill out a USMS Process Receipt and Return form (“USM-285 form”) for each of these defendants. The Clerk of Court is further instructed to issue summonses for AUA and MEA, and deliver to the USMS all the paperwork necessary for the USMS to effect service of a summons, the amended complaint, OTSC, and “affidavits” in support of the OTSC (ECF 6-7, 10, 12) on AUA and MEA.

If those documents are not served upon AUA and MEA within 90 days after the date that summonses for these defendants are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss this action if Plaintiff fails to do so.

¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the amended complaint and other submissions and ordered that any summonses issue. The Court therefore extends the time to serve AUA and MEA until 90 days after the date that any summonses for them issue.

CONCLUSION

The Court directs the Clerk of Court to mail an information package to Plaintiff.

The Court also directs the Clerk of Court to: (1) issue summonses for Defendants American University of Antigua, Inc., and Manipal Education Americas, LLC; (2) complete USM-285 forms with the service addresses for these defendants; and; (3) deliver all documents necessary to effect service of summonses and the amended complaint, order to show cause for a preliminary injunction and temporary restraining order (“OTSC”), and “affidavits” in support of the OTSC (ECF 6-7, 10, 12) on these defendants, at the alternative addresses listed on the last page of this order after the undersigned’s signature, to the USMS.

SO ORDERED.

Dated: April 7, 2025
New York, New York



EDGARDO RAMOS
United States District Judge

SERVICE ADDRESSES FOR DEFENDANTS

- 1 American University of Antigua, Inc.
Corporation Service Company
1201 Hays Street
Tallahassee, Florida 32301-2525
- 2 American University of Antigua, Inc.
c/o Manipal Education Americas
115 Broadway, Floor 5
New York, New York 10006
- 3 Manipal Education Americas, LLC
40 Wall Street, Floor 10
New York, New York 10005
- 4 Manipal Education Americas, LLC
115 Broadway, Floor 5
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